

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

<p>GAVIN P. VANDERBECK,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>KILE, <i>Sgt. Correctional Officer,</i></p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">2:23-CV-10801-TGB-CI</p> <p style="text-align: center;">ORDER DISMISSING COMPLAINT FOR WANT OF PROSECUTION</p>
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On April 7, 2023, Gavin P. Vanderbeck, a Michigan prisoner who represents himself, filed a complaint, alleging that a corrections officer deployed excessive force against him during a shakedown of his cell. *See* 42 U.S.C. § 1983; ECF No. 1.

Vanderbeck did not pay the filing fee, nor did he submit the necessary documents to apply to proceed in forma pauperis—*i.e.*, without prepaying the filing fee. Accordingly, on April 18, 2023, the Court issued an Order to Correct Deficiency. ECF No. 4. This Order explained to Vanderbeck what documents he needed to submit to apply for pauper status. It also warned him that, if he did not submit those documents or pay the filing fee by May 18, 2023, his case would be dismissed for want of prosecution—in other words, it would not be reinstated, even if Vanderbeck later supplied the missing documents or paid the filing fee. *See McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997).

May 18, 2023 came and passed without further action by Vanderbeck. Accordingly, his complaint will be **DISMISSED FOR**

WANT OF PROSECUTION. *See* Fed. R. Civ. P. 41(b); *Erby v. Kula*, 113 F. App'x. 74, 75-76 (6th Cir. 2004); *Davis v. United States*, 73 F. App'x. 804, 805 (6th Cir. 2003).

SO ORDERED this 6th day of July, 2023.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge